

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

ALFRED P. MONTGOMERY, )  
                                )  
                                )  
Plaintiff,                 )  
                                )  
                                )  
v.                             ) 2:12-CV-2455-RBP-JEO  
                                )  
                                )  
CAPTAIN JAY FONDREN, et al., )  
                                )  
                                )  
Defendants.                 )

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on September 4, 2013, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed under 28 U.S.C. § 1915A(b). No objections were filed by either party.

Having carefully reviewed and considered *de novo* the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed pursuant to 28 U.S.C. § 1915A(b). A Final Judgment will be entered.

DATED this 15<sup>th</sup> day of October, 2013.



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ROBERT B. PROPST  
SENIOR UNITED STATES DISTRICT JUDGE